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AttorneysforDefendant
BANKOFAMERICA,N.A.

UNITEDSTATESDISTRICTCOURT
NORTHERNDISTRICTOFCALIFORNIA

DAVIDKECK,anindividual,

Plaintiff,

vs.

BANKOFAMERICA,aDelaware
Corporation;CENTRALSTATES
INDEMNITYCO.OFOMAHA,aNebraska
Corporation;CSIPROCESSING,LLC,a
NebraskaCompany,andDOES1through
100,,

Defendants.

CaseNo.:CV08-01219CRB

**ORDERGRANTINGBANKOF
AMERICA'SMOTIONTODISMISS
FIRSTAMENDED COMPLAINT**

HearingDate: April18,2008
Time: 10:00a.m.

Judge: Hon.CharlesR.Breyer

ComplaintDate: December17,2007
TrialDate: NotSet

BankofAmerica,N.A.'smotiontodismiss thefirst amendedcomplaintdulycameonfor
hearingonApril18,2008.JanT.ChiltonofSever son&Wersonappearedonbehalf ofBankof
America.Otherappearanceswereasnotedinthere porter'stranscript.

TheCourthasreviewedthefirstamendedcomplaint andthewrittensubmissionsofthe
parties.It hasconsideredtheparties'oralargum ents.Forgoodcausesshown,

ITISHEREBYORDEREDthatthemotiontodismiss the firstamendedcomplaintis
granted.Plaintiffmayfilean amendedcomplaintw ithin10daysafterentryofthisorder.

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1 ITISSOORDERED.
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4 DATED:_____,2008
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7 _____
TheHonorableCharlesR.Breyer
UnitedStatesDistrictCourtJudge
NorthernDistrictofCalifornia
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